

AMENDMENTS TO THE CLAIMS AND CLAIM LISTING

The listing of the claims immediately below, in which certain amendments are highlighted, replaces all prior versions of the claims provided in this application. Amendments to the claims previously entered in this application have not been highlighted herein.

1. (Presently amended) A computer-implemented method for an on-line auction of the type wherein a plurality of customers may purchase receive an offer of a product supplied by one or more one of at least two merchants, said product comprising a plurality of Program Terms, said method comprising the steps of:

acquiring, over a network, customer information from each of said plurality of customers, said customer information including an explicit ranking from most important to said customer to least important to said customer of said Program Terms, the Program Term ranked as most important to said customer being defined as that customer's Preferred Program Term a preference ranking of more than one Program Terms associated with said product such that one of said Program Terms becomes a selected Preferred Program Term;

automatically selecting one of said Program Terms and grouping each of said plurality of customers into one or more pools prior to an auction, said customers grouped together which have indicated as their Preferred Program Term said selected one of said Program Terms in accordance with said selected Preferred Program Term;

providing to said at least two merchants data regarding said grouped together customers, said data providing access to certain of each said customer's qualifications for participating in said offer, whereby said at least two merchants may independently evaluate the qualifications of each said customer for participating in said offer;

receiving, over said network, from each of said at least two merchants an offer to provide said product to said plurality of customers, each said offer bids from said one or more merchants in connection with providing said product collectively to at least one of said one or more pools of said plurality of customers;

is made collectively to said grouped together customers; and
provides to each said grouped together customer an individual offer to participate;

comparing said bids offers from said at least two merchants, and based on said comparison, selecting as a Preferred Offer one of said offers from said at least two merchants to select a preferred bid from a preferred merchant for said at least one of said one or more pools of said plurality of customers;

notifying each said grouped together customer individually, over said network, of said Preferred Offer; preferred merchant of said preferred bid

providing each said grouped together customer a finite period of time within which said Preferred Offer may be accepted and a mechanism for indicating acceptance; and

providing notification to said merchant associated with said Preferred Offer as to which of said grouped together customers have accepted said Preferred Offer in the provided period of time.

2. (Presently amended) The method of claim 1, wherein said grouping step includes further grouping of said customers via characteristic pooling, using characteristics specific to the customers in accordance with a Program Term associated with a said characteristics of said customers.

3. (Presently amended) The method of claim 1, wherein said grouping step includes further grouping of said customers via commitment pooling in accordance with a Program Term associated with the customers' level of commitment to accept the bid from one of said at least two merchants.

4. (Previously presented) The method of claim 1, wherein potential customers are grouped into ghost pools, and wherein said at least two merchants bid on said ghost pools to obtain the right to provide offer said product to a previously agreed upon number of said potential customers with said product.

5. (Previously cancelled)

6. (Cancelled)

7. (Cancelled)

8. (Presently amended) The method of claim 3, wherein said level of commitment is determined by a prior affirmative commitment by said customers to purchase said product in accordance with said ~~preferred bid by said preferred merchant~~
Preferred Offer.

9. (Presently amended) The method of claim 4, wherein said ghost pool comprises all customers ~~signing up for said product indicating an interest in participating in said offer~~ during a particular time frame.

10. (Cancelled)

11. (Cancelled)

12. (Previously cancelled)

13. (Previously cancelled)

14. (Previously cancelled)

15. (Previously cancelled)

16. (Previously cancelled)

17. (Previously cancelled)

18. (Previously cancelled)

19. (Previously cancelled)

20. (Cancelled)

21. (Cancelled)

22. (Cancelled)

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Cancelled)

27. (New) A computer-implemented method for an on-line auction of the type wherein a plurality of customers may receive an offer for a product supplied by one of at least two merchants, said product comprising a plurality of Program Terms, said method comprising the steps of:

acquiring, over a network, customer information from each of said plurality of customers, said customer information including an explicit ranking from most important to said customer to least important to said customer of said Program Terms, the Program Term ranked as most important to said customer being defined as that customer's Preferred Program Term;

automatically selecting a first one of said Program Terms and grouping together into a first pool those of said plurality of customers who have indicated as their Preferred Program Term said selected first one of said Program Terms;

dividing said first one of said Program Terms into a number of First Program Term Bid Units;

determining a unit value for each First Program Term Bid Units;

automatically selecting a second one of said Program Terms and grouping together into a second pool those of said plurality of customers who have indicated as their Preferred Program Term said selected second one of said Program Terms;

dividing said second one of said Program Terms into a number of Second Program Term Bid Units such that a determined unit value for each Second Program

Term Bid Unit is the same as the unit value for each First Program Term Bid Unit;

forming a Term Ratio as the ratio of the number of First Program Term Bid Units to the number of Second Program Term Bid Units;

combining said first and second pools into a combined pool;

providing to said at least two merchants data regarding said grouped together customers, said data providing access to certain of each said customer's qualifications for participating in said offer, whereby said at least two merchants may independently evaluate the qualifications of each said customer for participating in said offer;

creating a Term Ratio Offer comprising said first one of said Program Terms and, using said Term Ratio to value said second one of said Program Terms as a function of a value of said first one of said Program Terms, alternatively said second one of said Program Terms;

receiving, over said network, from each of said at least two merchants an offer to provide said product to said plurality of customers, including at least said Term Ratio Offer, each said offer:

is made collectively to said customers in said combined pool; and

provides to each of said customers in said combined pool an individual offer to participate;

comparing said offers, and based on said comparison, selecting as a Preferred

Offer one of said offers from said at least two merchants;

individually notifying each of said customers in said combined pool, over said network, of said Preferred Offer;

providing each of said customers in said combined pool a finite period of time within which said Preferred Offer may be accepted and a mechanism for indicating acceptance; and

providing notification to said merchant associated with said Preferred Offer as to which of said customers in said combined pool have accepted said Preferred Offer in the provided period of time.

28. (New) The method of claim 27, further comprising the steps of:

determining an equating factor which equates the values of the First and Second Program Term Bid Units of a first of said merchants to the First and Second Program Term Bid Units of a second of said merchants, respectively, to thereby provide an Equating Ratio between the First and Second Program Term Bid Units of said first of said merchants to the First and Second Program Term Bid Units of said second of said merchants, respectively; and

using said Equating Ratio to compare an offer of said product from said first of said at least two merchants to an offer of said product from said second of said at least two merchants.

29. (New) The method of claim 27, further comprising the steps of:

determining a normalizing function for normalizing the values of the First and Second Program Term Bid Units of a first of said merchants and the First and Second Program Term Bid Units of a second of said merchants, respectively; and

converting offers from said first and second of said at least two merchants into normalized offers, respectively, using said normalizing function.